

**From:** erbo@silcom.com@inetgw  
**To:** Microsoft ATR  
**Date:** 1/23/02 12:41pm  
**Subject:** Microsoft Settlement

Dear Sirs:

As a professional software engineer, I am writing to provide input on the proposed Microsoft antitrust settlement.

I believe that the settlement as proposed is not in the best interests of the American public. I further believe that the settlement would be harmful to the American economy, and is completely inadequate given the findings of fact in the trial--findings of fact which have been upheld by the Court of Appeals.

Microsoft's anti-competitive practices run counter to the law and spirit of our free-enterprise system. These practices inhibit competition, reduce innovation, and thereby decrease employment and productivity in our nation.

Microsoft's monopolistic practices cause the public--including the Federal Government itself--to bear increased costs, and deny them the products of the innovation which would otherwise be stimulated through competition.

The finding of fact which confirmed that Microsoft is a monopoly requires strict measures which address not only the practices they have engaged in in the past, but which also prevent them from engaging in other monopolistic practices in the future. This was a serious problem in the 1995 consent decree, and is even more serious of a problem with this settlement.

It is my belief that a very strong set of strictures must be placed on convicted monopolists to insure that they are unable to continue their illegal activities. I do not think that the proposed settlement is strong enough to serve this function.

Not only that, but the proposed settlement has *\*no\** provision for punitive damages against Microsoft for its actions in the past. An illegal monopoly should not be allowed to retain its ill-gotten gains while merely being warned against such conduct in the future. Due to Microsoft's size and large amount of cash reserves, any fine levied against them should be in the billions of dollars, else it will merely be "shrugged off" and the message will remain unheard.

I urge the plaintiffs in this lawsuit to stand fast and not accept this settlement, which amounts to a slap on the wrist for Microsoft and a

kick in the crotch for the American public. Thank you.

Sincerely yours,

Eric J. Bowersox, Denver, Colorado

Technical Director, Electric Minds Community <<http://www.minds.com>>

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"The sands of time were eroded by the river of constant change..."